

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : : 04cr1110 (DLC)  
: : 11cv1556 (DLC)  
-v- :  
: :  
ANGELO DIPIETRO, : : ORDER  
: :  
Defendant. : :  
: :  
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DENISE COTE, District Judge:

In response to an Order of March 29, 2021, the parties request that the Court proceed with resentencing. Accordingly, it is hereby

ORDERED that resentencing is scheduled for **May 20, 2021** at **11:00 AM**. The defendant is incarcerated. Due to the COVID-19 pandemic, the defendant may have the option of appearing in court or through a videoconference. If, due to the increase in demand for videoconference proceedings, a videoconference is not available it may be possible to arrange for a telephone conference. Accordingly,

IT IS FURTHER ORDERED that defense counsel shall respond to the following two questions by **5:00 PM** on **May 6, 2021**:

- 1) Does the defendant consent to have the proceeding occur as a videoconference?
- 2) If a videoconference is unavailable, does the defendant consent to have the proceeding occur as a telephone conference?

If the defendant consents to either option, please complete and submit the written consent form attached to this Order if it is feasible to do so.

IT IS FURTHER ORDERED that any defense submission regarding resentencing shall be due **May 6** and the Government's reply shall be due **May 13**.

SO ORDERED

Dated:      New York, New York  
                 April 9, 2021

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DENISE COTE  
United States District Judge